

translation

PATENT COOPERATION TREATY

PCT/CH2003/000335



PCT

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

10/517266

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Cas 0318	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/CH2003/000335	International filing date (day/month/year) 30 mai 2003 (30.05.2003)	Priority date (day/month/year) 06 juin 2002 (06.06.2002)
International Patent Classification (IPC) or national classification and IPC G04B 19/24		
Applicant ZENTH INTERNATIONAL SA		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 27 décembre 2003 (27.12.2003)	Date of completion of this report 27 October 2004 (27.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

PCT/CH2003/000335

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____ 2-6 _____, as originally filed
 pages _____, filed with the demand
 pages _____ 1 _____, filed with the letter of _____ 06 August 2004 (06.08.2004)
- ☒ the claims:
 pages _____ 8 _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____ 7 _____, filed with the letter of _____ 06 August 2004 (06.08.2004)
- ☒ the drawings:
 pages _____ 1/3-3/3 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
 These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following document:

D1: CH 316 461

Document D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the reference signs between parentheses apply to this document) a date display device with two rotary discs (11, 16) positioned at least partially one on top of the other and suitable for displaying units and tens, respectively, wherein said discs are marked with the series of figures 0 to 9 and the series of figures 0, 1, 2, 3, respectively, which figures are evenly distributed around a circumferential ring and arranged in such a way that the figures on one disc are juxtaposed with the figures on the other disc, and a drive mechanism rotates the discs so that the juxtaposed figures provide an indication of the day of the month.

It follows that the subject matter of claim 1 differs from the known device in that the unit disc has the series of figures 0, 1, 2, 3, 3.

Therefore, the subject matter of claim 1 is novel (PCT

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Article 33(2)).

The problem that the present invention is intended to solve can thus be considered to be that of simplifying the above-mentioned device.

The solution to this problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)), for the following reasons: no prior art document suggests the use of the series of figures 0, 1, 2, 3, 3, which requires the use of specially designed drive means that cannot be derived from the prior art.

Claims 2 to 5 are dependent on claim 1 and thus also comply, as such, with the requirements of novelty and inventive step of the PCT.